

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

v.

THEODORE L. CLARK, III

Hon. Freda L. Wolfson

Crim. No. 16-449 (FLW)

DETENTION ORDER

This matter having been opened to the Court on motion of the United States, by Paul J. Fishman, United States Attorney for the District of New Jersey (Sammi Malek, Assistant United States Attorney, appearing) for an order pursuant to Title 18, United States Code, Section 3142(e) to detain the Defendant without bail pending trial in the above-entitled matter because the Defendant is currently serving a state prison sentence, but becomes eligible for parole on December 27, 2016 and no bail package was presented to the Court to determine whether any condition or combination of conditions will reasonably assure the appearance of defendant as required and the safety of the community; the Defendant having consented to detention, but reserved his ability to present an argument to the Court in support of release at a later time; the Defendant having waived his right under the Interstate Agreement on Detainers Act ("IADA") to remain in federal custody and not be returned to the custody of the State of New Jersey, pending trial; the Court having heard and considered the arguments of the parties at the initial appearance proceedings on November 10, 2016; for the reasons stated by the Court on the record; and for good cause shown:

IT IS, therefore, on this 10th day of November, 2016,

ORDERED that the motion of the United States for an order detaining the Defendant without bail pending trial is hereby GRANTED, and the Defendant is hereby ORDERED DETAINED. The Defendant, by and through counsel, reserves the right to request a full hearing before this Court pursuant to Title 18, United States Code, Section 3142(f) on the issue of release at a later date; and it is further

ORDERED that, in light of the Defendant's waiver of his right under the IADA to remain in federal custody, the Defendant shall be returned to the custody of the State of New Jersey; and it is further

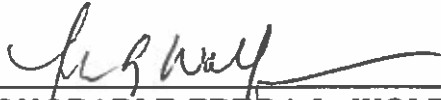
ORDERED, pursuant to Title 18, United States Code, Section 3142, that in the event the Defendant is paroled by the state, the Defendant shall be committed to the custody of the Attorney General or his authorized representative pending trial in the above-entitled matter; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that, once in federal custody, the Defendant be confined in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that, once in federal custody, the Defendant be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i),

that, upon order of this or any other court of the United States of competent jurisdiction or on request of an attorney for the United States, the Defendant shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings.



HONORABLE FREDA L. WOLFSON
United States District Judge